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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

BENYEHUDAH WHITFIELD,
Plaintiff,

V.

LESTER FINKLE, DOUGLAS J. SIMPSON,
Judge, et al.,
Defendants.

Case No. 13-4910

FILED
FEB 14 2014
THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

MOTION TO ENTER JUDGMENT AND ORDER OF DEFAULT AGAINST DEFENDANT
DUOGLAS J. SIMPSON, JUDGE, PURSUANT TO RULE 55 OF FED. R. CIV. P.

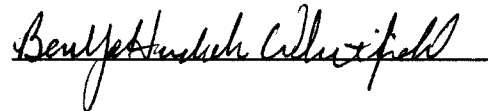
NOW COMES Plaintiff, BENYEHUDAH WHITFIELD, pro se, and herby moves this Court to enter a default order and judgment against Defendant Douglas j. Simpson, Defendant, pursuant to Rule 55 of Fed. R. Civ. P. and in support states the following:

1. Plaintiff's Complaint regarding the above captioned matter was received by the Court on June 9, 2013 (Doc.)
2. A second service process against Defendant Simpson began on January 22, 2014 (Doc.)
3. On January 30, 2014, Plaintiff mailed Defendant Simpson an *alias* Summons pursuant to Rule 4(1)(G) of Fed R. Civ. P.
4. Service was accepted on behalf of Defendant Simpson on January 31, 2014. Attached hereto (as Attachments 1-2) is a copy of the *alias* Summons and receipt which shows the date the received date of the Summons.

5. Pursuant to Rule 12(a)(1)(A)(i), Defendant had 21 days from the date When the second service process began to file an Answer or plea. Thus, February 12, 2014 was the deadline by which an Answer or pleading was due by the Defendant; however, Defendant Simpson has failed to comply with Rule 12(a)(1)(A)(i) of Fed. R. Civ. P.
6. Because Defendant Simpson has failed to comply with Rule 12(a)(1)(A)(i) of Fed. R. Civ. P., Plaintiff respectfully request that the Court enter a Judgment and Order of Default against Defendant Simpson and set a hearing date for an assessment of damages.

WHEREFORE, it is prayed that the Court will grant this motion by entering a default order and judgment against Defendant Simpson and set a hearing date for an assessment of damages.

Respectfully submitted



BenYeHudah Whitfield
11256S. Normal Ave
Chicago, IL 60628
(773) 610 – 8647
Plaintiff, Pro se

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

Honorable Douglas J. Simpson
Circuit Court of Cook County
Sixth Municipal District
6501 Kedzie Parkway
Room 206
Parkland, IL 60428

Article Number

(Transfer from service label)

PS Form 3811, July 2013

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x

B. Received by (Printed Name)

☐ Agent☐ Addressee

C. Date of Delivery

1-31-14

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail®☒ Priority Mail Express™☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee)

☐ Yes

EG533954304US

Domestic Return Receipt

ATTACHMENT 3

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4® in this box•

BenYehudah Whitfield
11256 S. Normal Ave.
Chicago, IL 60628



ATTACHMENT 4

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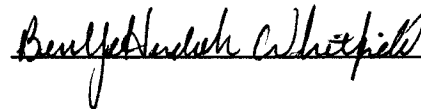
Honorable Norgle

PROOF/CERTIFICATE OF SERVICE

To: OFFICE OF THE ILLINOIS ATTORNEY GENERAL
Deborah Morgan Beltran (Assistant Attorney General)
100 West Randolph, 13th Floor
Chicago, IL 60601

Please Take Notice that on February 14, 2014, I served Assistant Attorney General Deborah Morgan Beltran, attorney for Defendant Luciano Panici, with a copy of the attached Motion to Enter a Default Judgment and Order against Defendant Douglas J. Simpson Pursuant to Rule 55, and Notice of Filing by mailing said documents, by Certified Mail, through the U.S. Postal Service properly addressed to the above named Defendant.

Respectfully submitted



BenYeHudah Whitfield
11256S. Normal Ave
Chicago, IL 60628
(773) 610 – 8647
Plaintiff, Pro se

PURSUANT TO 735 ILCS5/1-109, I hereby declare under the penalty of perjury that I have read the above and that the above is true and correct to the best of my knowledge and belief, and if called to testify regarding any of the above I will do so as competently as I possibly can.

Signed on this 14th day of February, 2014

/S/ _____

BENYEHUDAH WHITFIELD

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
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BENYEHUDA WHITFIELD,
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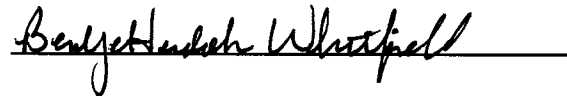
PROOF/CERTIFICATE OF SERVICE

To: COOK COUNTY STATE'S ATTORNEY

Stephen L. Garcia (Assistant Cook County State's Attorney)
500 Richard Daley Center
Chicago, IL 60602

Please Take Notice that on February 14, 2014, I served Assistant State's Attorney of Cook County Stephen L. Garcia, attorney for Defendant Lester Finkle, Cook County, Illinois, and Cook County Public Defender's Office, with a copy of the attached Motion to Enter a Default Judgment and Order against Defendant Douglas J. Simpson Pursuant to Rule 55, and Notice of Filing by mailing said documents, by Certified Mail, through the U.S. Postal Service properly addressed to the above named Defendant.

Respectfully submitted



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Signed on this 14th day of February, 2014

/s/ Benyehudah Whitfield

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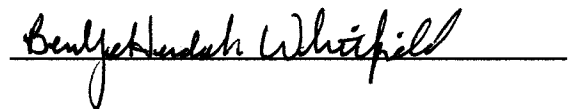
Honorable Norgle

PROOF/CERTIFICATE OF SERVICE

To: Douglas J. Simpson
Circuit Court of Cook County
Sixth Municipal District
16501 Kedzie Parkway
Markham, IL 60428

Please Take Notice that on February 14, 2014, I served Defendant Douglas J. Simpson with a copy of the attached Motion to Enter a Default Order and Judgment against Defendant Douglas J. Simpson Pursuant to Rule 55, by mailing said document, by Certified Mail, through the U.S. Postal Service properly addressed to the above named Defendant.

Respectfully submitted



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Plaintiff, Pro se

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Signed on this 14th day of February, 2014

/s/ Benyehudah Whitfield

BENYEHUDAH WHITFIELD